

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.39310 of 2008
BHIM SHAH @ RAJESH KUMAR GUPTA
Versus
STATE OF BIHAR

3 15.12.2008 Heard.

The complainant purchased thirty tons of wheat for sending the same to its destination through transport agency on a truck. The petitioner gleefully purchased the consignment knowing that it was not the personal property of the owner or driver of the truck.

It is true that Sections 406,420,323,504 IPC may not be attracted against the petitioner, but the petitioner may not escape his liability under Section 411 IPC.

In that view of the seriousness of the act, I am not inclined to grant bail to the petitioner and, accordingly, his prayer for bail is dismissed..

However, if the trial is not concluded within one year from the date of remand of the petitioner in this case, the court below shall release the petitioner in connection with Nawa Nagar P.S.Case No.65/2008 on execution of bail bond to his own satisfaction.

SKBOSE

(Dharnidhar Jha)